

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MICHIGAN**

IN RE: MARK A SELLERS III

Debtor.

Case No. 20-02619-jwb

Chapter 11

Honorable James W. Boyd

/ U.S. Bankruptcy Judge

**EX PARTE MOTION FOR ORDER FIXING
DEADLINES FOR FILING PROOFS OF CLAIM**

Mark A. Sellers, III, Debtor in this Chapter 11 case (the “Debtor”), by his attorneys, Miller Johnson, files this Motion (the “Motion”) seeking entry of an order fixing a deadline for filing proofs of claim pursuant to Federal Rule of Bankruptcy Procedure 3003(c)(3). In support of this Motion, the Debtor states as follows:

1. The Debtor commenced this case by filing a voluntary petition under Chapter 11 (Subchapter V) of the United States Bankruptcy Code on August 11, 2020.
2. It is necessary for the Debtor to evaluate, and where necessary, object to proofs of claim in the bankruptcy estate in conjunction with proposing a confirmable plan in this case.
3. In order for the Debtor to reasonably assess all claims and propose a confirmable plan, it is necessary that the universe of claims be identified.
4. To date no deadlines for the filing of claims has been set in this matter.
5. Due to the shortened deadlines in this Subchapter V case, it is important that the Debtor and his counsel be able to evaluate all claims sufficiently before the deadline for filing his plan.
6. Bankruptcy Rule 3003(c)(3) provides that the Court shall fix a time within which proofs of claim or interest may be filed.

7. Bankruptcy Rule 2002(a)(7) provides that all creditors must receive at least (21) twenty-one days' notice of the time fixed for filing proofs of claim pursuant to Rule 3003(c).

WHEREFORE, the Debtor respectfully requests that this Court enter a claims deadline order in substantially similar form to the proposed order attached to this Motion requiring that all persons holding pre-petition claims against the Debtor and his estate file a proof of claim with the Clerk of the Bankruptcy Court by no later than September 30, 2020 and providing that unless such proofs of claim are filed in accordance with the claims deadline order, they will be barred from sharing any distribution in this bankruptcy case.

Miller Johnson
Attorneys for Debtor

Dated: August 13, 2020

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